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December 15, 2022

VIA ECF

The Honorable Valerie Caproni
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, New York 10007

Re: *Nike, Inc. v. StockX LLC*, No. 22 CV 00983 (VEC) (S.D.N.Y.)

Dear Judge Caproni:

Pursuant to the Court's April 11, 2022 Civil Case Management Plan and Scheduling Order, (Dkt. No. 25, the "Order"), plaintiff Nike, Inc. ("Nike") and defendant StockX LLC ("StockX," and together with Nike, the "Parties") respectfully submit this joint letter to update the Court on the status of discovery.

Since the last update, StockX served objections to Nike's Second Set of Request for Admission and its Fourth Set of Interrogatories to Nike. The Parties have produced additional documents and will continue to produce additional responsive documents as required by any outstanding discovery requests. Nike has deposed three StockX witnesses and StockX has deposed two Nike witnesses, and six depositions have been noticed and scheduled through January 20, 2022.

The Parties appeared for a discovery conference before Magistrate Judge Netburn on December 14, 2022, pursuant to the Court's referral of "All discovery disputes and any requests for an extension of the discovery schedule." (Dkt. 77). Given the number of outstanding discovery disputes remaining and depositions to be scheduled, Magistrate Judge Netburn ordered the fact discovery deadline be extended from January 20, 2022 to February 28, 2022, with comparable extensions to the expert discovery deadlines that follow.

The parties will continue to provide status updates to Magistrate Judge Netburn pursuant to her orders and will work through remaining discovery disputes raised in the Parties' joint letter to the Court (Dkt. 76), as well as any additional discovery disputes that ripen in the coming weeks.

The Parties thank the Court for its attention to this matter.



December 15, 2022

Page Two

Respectfully submitted,

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